

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THERESA GARDNER,

Plaintiff,

-against-

THE CITY OF NEW YORK, N.Y.C POLICE OFFICER
BRIAN POLLOCK, SHIELD #2711, AND "JOHN DOE,"
EACH SUED INDIVIDUALLY AND IN HIS OFFICIAL
CAPACITY,

Defendants.
----- X

**STIPULATION OF
DISMISSAL AND
DISCONTINUANCE**

08 CV 1135 (JSR)

WHEREAS, plaintiff Theresa Gardner commenced this action by filing a complaint on or about February 4, 2008, alleging that certain of her constitutional rights were violated; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, the parties now desire to resolve certain issues raised in this litigation, without further proceedings and without admissions of fault or liability;

WHEREAS, the individual identified in the caption of the complaint as N.Y.C. Police Officer Brian Pollock was not assigned to the area in question at the time of the alleged incident;

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5-13-08

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the respective parties herein, that all claims that were or could have been asserted on behalf of plaintiff Theresa Gardner as against N.Y.C. Police Officer Brian Pollock, in the above entitled proceeding are hereby dismissed and discontinued with prejudice and without attorneys' fees or costs to any party.

Dated: New York, New York
April 17, 2008

Steven Hoffner, Esq.
Attorney for Plaintiff
350 Broadway, Suite 1105
New York, New York 10013

By: 

Steven Hoffner, Esq. ~~ESQ.~~

JA - 0585)

MICHAEL A. CARDOZO
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York
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By: 

Jessica T. Cohen (JC 0044)

Assistant Corporation Counsel

SO ORDERED:


JED S. RAKOFF, U.S.D.J.

5-12-08